

State of Utah  
Administrative Rule Analysis

## NOTICE OF PROPOSED RULE OR CHANGE

The agency identified below in box 1 provides notice of proposed rule or change pursuant to Utah Code Subsections 63-46a-4(2) and (4). Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

<b>State of Utah</b> Division of Administrative Rules (DAR) 4120 State Office Building; 450 North Main PO Box 141007 Salt Lake City, UT 84114-1007 Phone: (801) 538-3218, FAX: (801) 538-1773 State E-mail: <a href="mailto:asdomain.asitmain.rules">asdomain.asitmain.rules</a>	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 2px;">DAR file no.:</td></tr><tr><td style="padding: 2px;">Utah Admin. Code ref. (R no.): R317-11</td></tr><tr><td style="padding: 2px;">Date filed:</td></tr><tr><td style="padding: 2px;">Time filed:</td></tr><tr><td style="padding: 2px;">Received by:</td></tr></table>	DAR file no.:	Utah Admin. Code ref. (R no.): R317-11	Date filed:	Time filed:	Received by:															
DAR file no.:																					
Utah Admin. Code ref. (R no.): R317-11																					
Date filed:																					
Time filed:																					
Received by:																					
<table style="width: 100%;"><tr><td style="width: 20%;">1. Department:</td><td>Environmental Quality</td></tr><tr><td>Agency:</td><td>Water Quality</td></tr><tr><td>Room no., building:</td><td>Cannon Health Building</td></tr><tr><td>Street address:</td><td>288 North 1460 West</td></tr><tr><td>Mailing address:</td><td>PO Box 144870</td></tr><tr><td>City, state ZIP:</td><td>Salt Lake City, UT 84114-4870</td></tr><tr><td>Contact person:</td><td>Jay Pitkin</td></tr><tr><td>Telephone:</td><td>(801) 538-6146</td></tr><tr><td>FAX:</td><td>(801) 538-6052</td></tr><tr><td>Internet E-mail:</td><td><a href="mailto:jpitkin@deq.state.ut.us">jpitkin@deq.state.ut.us</a></td></tr></table> <p style="text-align: center; font-size: small;">(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)</p>		1. Department:	Environmental Quality	Agency:	Water Quality	Room no., building:	Cannon Health Building	Street address:	288 North 1460 West	Mailing address:	PO Box 144870	City, state ZIP:	Salt Lake City, UT 84114-4870	Contact person:	Jay Pitkin	Telephone:	(801) 538-6146	FAX:	(801) 538-6052	Internet E-mail:	<a href="mailto:jpitkin@deq.state.ut.us">jpitkin@deq.state.ut.us</a>
1. Department:	Environmental Quality																				
Agency:	Water Quality																				
Room no., building:	Cannon Health Building																				
Street address:	288 North 1460 West																				
Mailing address:	PO Box 144870																				
City, state ZIP:	Salt Lake City, UT 84114-4870																				
Contact person:	Jay Pitkin																				
Telephone:	(801) 538-6146																				
FAX:	(801) 538-6052																				
Internet E-mail:	<a href="mailto:jpitkin@deq.state.ut.us">jpitkin@deq.state.ut.us</a>																				
2. Title of rule or section (catchline): Certification Required to Design, Inspect and Maintain Underground Wastewater Disposal Systems, or Conduct Percolation and Soil Tests for Underground Wastewater Disposal Systems.																					
3. Type of notice: <table style="width: 100%;"><tr><td style="width: 20%;">Proposed rules</td><td style="width: 5%;"><input checked="" type="checkbox"/></td><td style="width: 20%;">New</td><td style="width: 5%;"><input type="checkbox"/></td><td style="width: 20%;">Amendment</td><td style="width: 5%;"><input type="checkbox"/></td><td style="width: 20%;">Repeal</td></tr><tr><td></td><td><input type="checkbox"/></td><td colspan="5">Repeal and reenact</td></tr></table> <hr style="border-top: 1px dashed black;"/> <table style="width: 100%;"><tr><td style="width: 20%;">Other rule types</td><td style="width: 5%;"><input type="checkbox"/></td><td style="width: 20%;">Change in proposed rule</td><td style="width: 40%;">(changes original proposed rule file no.: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>)</td></tr></table>		Proposed rules	<input checked="" type="checkbox"/>	New	<input type="checkbox"/>	Amendment	<input type="checkbox"/>	Repeal		<input type="checkbox"/>	Repeal and reenact					Other rule types	<input type="checkbox"/>	Change in proposed rule	(changes original proposed rule file no.: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span> )		
Proposed rules	<input checked="" type="checkbox"/>	New	<input type="checkbox"/>	Amendment	<input type="checkbox"/>	Repeal															
	<input type="checkbox"/>	Repeal and reenact																			
Other rule types	<input type="checkbox"/>	Change in proposed rule	(changes original proposed rule file no.: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span> )																		
4. Purpose of the rule or reason for the change: The proposed rule provides language to implement amendments made to the Utah Water Quality Act by H.B. 14 during the 2001 legislative session.																					
5. This rule or change is a response to comments by the Administrative Rules Review Committee. <table style="width: 100%;"><tr><td style="width: 80%;"></td><td style="width: 5%;"><input type="checkbox"/></td><td style="width: 10%;">Yes</td><td style="width: 5%;"><input checked="" type="checkbox"/></td><td style="width: 10%;">No</td></tr></table>			<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No															
	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No																	
6. Summary of the rule or change: The proposed rule implements amendments made to the Utah Clean Water Act by H.B. 14 during the 2001 legislative session. The rule implements the requirement that, after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The proposed rule outlines procedures for obtaining certification, who is required to obtain certification, training, appeals, qualifications and definitions.																					
7. Aggregate anticipated cost or savings to:																					

## NOTICE OF PROPOSED RULE OR CHANGE

State budget: None. The proposed changes will be addressed using existing staff and resources.

Local government: None. The proposed changes will be addressed using existing staff and resources.

Other persons: The proposed rule requires that after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The cost of obtaining certification is estimated at \$50 to \$100.

8. Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

The proposed rule requires that after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The cost of obtaining certification is estimated at \$50 to \$100 for training.

9. Comments by the department head on the fiscal impact the rule may have on businesses:

The proposed rule requires that after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The cost of obtaining certification is estimated at \$50 to \$100 for training.

10. This rule or change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required): Section 19-5-104

Federal citations (optional):

11. This rule or change adds or updates an incorporated reference (submit a copy to DAR): ☐ Yes ☒ No

Reference title and date of issue or edition:

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the *Utah State Bulletin*. See Section 63-46a-5 and Rule R15-1 for more information.)

Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 7/02/2001

A public hearing (optional) will be held on (mm/dd/yyyy):

at (time):

at (place):

### June 19:

Time: 10:30am

Place: Southeastern Health Department Conference Room

Address: 28 S. 100 E. Price UT. 84501

Time: 7:00pm

Place: Iron County Visitor Center, West Meeting Room

Address: 585 N. Main, Cedar City, UT. 84720

### June 20:

Time: 2:00pm-4:00

Place: Cannon Health Building, Room 125

Address: 288 N. 1460 W. Salt Lake City, UT. 84114

13. This rule or change may become effective on (mm/dd/yyyy):

7/23/2001

14. Indexing information - keywords (maximum of four, in lower case):

waste water, occupational licensing

## NOTICE OF PROPOSED RULE OR CHANGE

15. Indexing information - affected industries (two-digit SIC codes):

49

16. Attach a WordPerfect document containing the text of this rule or change (filename):

R317-11\_5-  
14-01.txt

**To the agency:** Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms may be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

### AGENCY AUTHORIZATION

Agency head or designee,  
and title:

Dianne R. Nielson Director, DEQ

Date  
(mm/dd/yyyy):

5/14/01